

Pay Gap in New Zealand 2017



THE
NEW ZEALAND
FEDERATION OF
BUSINESS &
PROFESSIONAL
WOMEN

Timeline

- 1880 - Married Women's Property Protection Act
- 1893 - Women Given the Vote
- 1898 - The Divorce Act
- 1990 - Women's Parliamentary Act
- 1927 - Labour Party Adopts First Equal Pay Policy (Not Govt)
- 1948 - The Universal Declaration of Human Rights
- 1956 - First Public Sector Court Case - Jean Parker
- 1960 - Government Service Equal Pay Act - Govt Workers

Minimal flow on effects into the private sector ...



THE
NEW ZEALAND
FEDERATION OF
BUSINESS &
PROFESSIONAL
WOMEN

Timeline

- 1972 - Equal Pay Act
- 1979 - CEDAW (United Nations General Assembly)
- 1983 - ILO Convention Ratified
- 1986 - First Pay Equity Case Heard but Declined
- 1990 - NZ Bill Of Rights Act (BORA)
- 1991 - Employment Contracts Act

How the heck can you discover whether you've got equal pay if you don't know what other people are paid?



Timeline

- 1993 - Human Rights Act prohibited sexual discrimination
- 1999 - Helen Clark Prime Minister
- 2000 - Introduction of Personal Grievance



Bartlett versus Terranova

2012 - First Accepted Court Case an important
test case of New Zealand Law



THE
NEW ZEALAND
FEDERATION OF
BUSINESS &
PROFESSIONAL
WOMEN

Joint Working Party on Equal Pay 2016

- Governor General Dame Patsy Reddy - Chair
- Government involved
- Business New Zealand
- Council of Trade Unions



THE
NEW ZEALAND
FEDERATION OF
BUSINESS &
PROFESSIONAL
WOMEN

The Seven Principles

The preferred approach of the joint working party was to have the parties who would benefit from the claim, bargain in good faith, using a set of principles designed to identify and confirm, assess and resolve a claim.



The Seven Principles

1. Pay Equity claims may be made by any employee to their employer at any time.
2. Employers receiving claims will be required to immediately notify those of their employees that might also be affected (or benefit from) the claim.
3. Once accepted as a pay equity claim the parties will bargain to resolve the claim with guidance from the pay equity principles
 - A thorough assessment of the skills, responsibilities, conditions and degrees of effort must be undertaken.
 - The assessment must be objective, free from assumptions based on gender and fully recognise the importance of skills, responsibilities, effort and conditions that are commonly overlooked or undervalued in female dominated work.
 - Comparators may be used so long as the comparator is not distorted by also being undervalued due to systemic undervaluation due to being “women’s work”.



The Seven Principles continued

4. If the employer does not accept it is a pay equity claim within an established timeframe of receiving the claim, the employee(s) raising the claim may test its merit as a pay equity claim with the Employment Relations Authority or revise their claim.
5. Settlement of a collective agreement does not settle or extinguish an unresolved pay equity claim and failure to settle a pay equity claim is not a justification for not concluding collective bargaining.
6. If parties reach an impasse on an aspect of bargaining over pay equity (or a dispute over whether a claim has merit) recourse is available through existing dispute processes, including mediation, facilitation and determinations from the Employment Relations Authority



The Seven Principles continued

7. The recommended process includes enhancement to these mechanisms to ensure that they are appropriate to address important and complex pay equity issues. This includes:
- Providing improved access to facilitation for employees with pay equity claims.
 - Improving access to facilitation for bargaining over collective and individual employment agreements on pay equity, by applying less restrictive grounds for applications for facilitation.
 - Providing the Authority with clear jurisdiction to make determinations on pay equity points of dispute.



It's time to pay the sisters the same as the misters!

- Based on current figures, it's going to take 45 years before women will be paid equally. And that's not on.
- The current gender pay imbalance is 13%.

